



City and County of San Francisco
Meeting Minutes
Budget and Finance Sub-Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Mark Farrell, Katy Tang, Eric Mar

Clerk: Linda Wong (415) 554-7719

Wednesday, May 13, 2015

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Mark Farrell, Katy Tang, and Eric Mar

ROLL CALL AND ANNOUNCEMENTS

Chair Mark Farrell convened the meeting at 10:06 a.m. Chair Farrell, Vice-Chair Tang, and Member Mar were noted present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

150354 [Cost-Sharing Agreement - Pacific Gas and Electric Company - Dredging and Harbor Reconstruction - Gas House Cove - Not to Exceed \$10,000,000]

Sponsor: Farrell

Resolution retroactively approving a cost-sharing agreement not to exceed \$10,000,000 between the City and County of San Francisco and the Pacific Gas and Electric Company for environmental analysis, planning, design, and permitting for dredging and harbor reconstruction in Gas House Cove for the term of October 14, 2014, through October 14, 2024.

04/07/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Heard in Committee. Speakers: Mary Hobson (Recreation and Park Department); Severin Campbell (Office of the Budget & Legislative Analyst); provided an overview and responded to questions raised throughout the discussion.

Vice-Chair Tang moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 3 - Farrell, Tang, Mar

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Farrell, Tang, Mar

150409 [Appropriation - Wastewater Enterprise General Reserve for Claims Settlements and Related Expenses as a Result of December 2014 Storms - \$1,750,000 - FY2014-2015]

Sponsor: Mayor

Ordinance appropriating \$1,750,000 from Wastewater Enterprise designated for general reserve in the Public Utilities Commission Wastewater Enterprise Department budget to pay the claims settlements, legal expenses, and related costs due to the extraordinary expenses incurred as a result of the December 2014 storms in FY2014-2015.

(Fiscal Impact)

04/21/15; ASSIGNED to Budget and Finance Sub-Committee. (5/6/15 - President Breed waived the 30-day rule.)

Heard in Committee. Speakers: None.

RECOMMENDED by the following vote:

Ayes: 3 - Farrell, Tang, Mar

Conference with City Attorney related to File No. 150409

Speakers: None.

[Convene in Closed Session - Conference with City Attorney - Anticipated Litigation Related to Claims and Potential Litigation Arising out of Flooding Following Major Rainstorms on December 3, 2014 and December 12, 2014 - City as Defendant]

Motion that the Budget and Finance Sub-Committee of the Board of Supervisors assert the attorney-client privilege and convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation: On December 3, 2014 and again on December 12, 2014, major rainstorms resulted in flooding in several San Francisco neighborhoods, resulting in numerous claims and potential litigation; closed session pursuant to California Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(2), which permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in anticipated litigation.

Unanimous vote to convene in closed session by the following vote:

Ayes: 3 - Farrell, Tang, Mar

Persons in attendance: Noreen Ambrose, Matthew Rothschild, John Roddy, and Jon Givner (City Attorney's Office); Tommy Moala (Public Utilities Commission); and Linda Wong (Clerk of the Board of Supervisors).

Deputy City Attorney Jon Givner reported that the Budget and Finance Sub-Committee has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) and Administrative Code Section 67.8 (3), for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation related to claims and potential litigation.

[Elect Not to Disclose]

Motion that the Committee finds that it is in the best interest of the public that the Committee elect at this time not to disclose its closed session deliberations listed above.

Unanimous vote not to disclose by the following vote:

Ayes: 3 - Farrell, Tang, Mar

150108 [Agreement - Hewlett Packard Enterprise Services, LLC - County CalWIN Consortium - \$82,571,463]

Resolution requesting continued membership in the 18 County CalWIN Consortium and the renewal of the Hewlett Packard Enterprise Services, LLC, contract with the Consortium as a result of the new procurement of the Hewlett Packard contract by the State of California, and retroactively authorizing the Director of the Human Services Agency to expand the expenditure authority from \$53,019,909 for an additional amount of \$26,299,281 the project budget including this extension is totaling to \$79,319,190 from February 1, 2015, through January 31, 2025. (Human Services Agency) (Fiscal Impact)

01/27/15; RECEIVED FROM DEPARTMENT.

02/10/15; RECEIVED AND ASSIGNED to Budget and Finance Committee.

05/07/15; TRANSFERRED to Budget and Finance Sub-Committee.

Heard in Committee. Speakers: David Flores (Human Services Agency); Jon Givner (City Attorney's Office); provided an overview and responded to questions raised throughout the discussion.

Vice-Chair Tang moved that this Resolution be AMENDED to reflect the correct increased contract of \$29,551,554. The motion carried by the following vote:

Ayes: 3 - Farrell, Tang, Mar

Resolution requesting continued membership in the 18 County CalWIN Consortium and the renewal of the Hewlett Packard Enterprise Services, LLC, contract with the Consortium as a result of the new procurement of the Hewlett Packard contract by the State of California, and retroactively authorizing the Director of the Human Services Agency to expand the expenditure authority from \$53,019,909 for an additional amount of \$29,551,554 the project budget including this extension is totaling to \$82,571,463 from February 1, 2015, through January 31, 2025. (Human Services Agency) (Fiscal Impact)

CONTINUED to May 20, 2015, AS AMENDED by the following vote:

Ayes: 3 - Farrell, Tang, Mar

**150272 [Accept and Expend Grant - Solar Energy with Energy Storage - \$1,286,200]
Sponsor: Farrell**

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of \$1,286,200 from the U.S. Department of Energy to develop plans in multiple neighborhoods to develop Solar Energy with Energy Storage for Post-Disaster Preparedness for the term of December 15, 2014, through December 31, 2016. (Fiscal Impact)

03/17/15; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Heard in Committee. Speakers: Cal Broomhead (Department of the Environment); Severin Campbell (Office of the Budget & Legislative Analyst); provided an overview and responded to questions raised throughout the discussion.

RECOMMENDED by the following vote:

Ayes: 3 - Farrell, Tang, Mar

150269 [Police Code - Formula Retail Employee Rights]**Sponsors: Farrell; Mar**

Ordinance amending the Police Code, Articles 33F and 33G, which contain the formula retail employee rights ordinances, to change from 20 to 40 the number of employees in San Francisco required for a formula retail establishment to be covered by the Ordinances; and to allow collective bargaining agreements covering employees of formula retail establishments to waive the protections of Articles 33F and 33G.

03/17/15; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee, expires on 4/16/2015.

04/14/15; REFERRED TO DEPARTMENT. 4/14/15 - Referred to the Small Business Commission and the Office of Economic Workforce Development.

Heard in Committee. Speakers: Howard Swaynder; Mike Tittler; Nina; Conny Ford; spoke on various concerns relating to the hearing matter

Member Mar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 3 - Farrell, Tang, Mar

Ordinance amending Articles 33F and 33G of the Police Code, which contain the formula retail employee rights ordinances, to change from 20 to 40 the number of retail sales establishments worldwide a business must have to be covered by the ordinances; and to allow collective bargaining agreements covering employees of formula retail establishments to waive the protections of Articles 33F and 33G.

CONTINUED to May 20, 2015, AS AMENDED by the following vote:

Ayes: 3 - Farrell, Tang, Mar

ADJOURNMENT

The meeting adjourned at 11:03 a.m.

N.B. The Minutes of this meeting set forth all actions taken by the Budget and Finance Sub-Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.